



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Comwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
Steven R. Ludwig
John M. Covert
Linda E. Alcorn
Robert C. Millonig
Lawrence B. Bugalsky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Garrett
Heidi L. Kraus
Edward W. Yee
Albert L. Ferro
Donald R. Banowitz
Peter A. Jackman
Molly A. McCall
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Patterson
Vincent L. Capuano
Albert J. Fasulo II*
Eldora Ellison Floyd
Thomas C. Flala
Brian J. Del Buono
Virgil Lee Beaston

Kimberly N. Reddick
Theodore A. Wood
Elizabeth I. Haanes
Bruce E. Chalker
Joseph S. Ostroff
Frank R. Cottingham
Christine M. Uhler
Rae Lynn Prensaman
Jane Shershenovich*
Lawrence J. Carroll*
George S. Bardmesser
Daniel A. Klein*
Rodney G. Maze
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller*
Jon E. Wright*

LuAnne M. Yuricek*
John J. Figueroa
Ann E. Summerfield

Registered Patent Agents*
Karen R. Markowicz
Nancy J. Leith
Helene C. Carlson
Gaby L. Longworth
Matthew J. Dowd
Aaron L. Schwartz
Angelique G. Uy
Mary B. Tung
Katrina Y. Pei
Bryan L. Skelton
Robert A. Schwartzman
Timothy A. Doyle
Jennifer R. Mahalingappa

Teresa A. Colella
Jeffrey S. Lundgren
Victoria S. Rutherford
Eric D. Hayes

Of Counsel
Kenneth C. Bass III
Lisa A. Dunner
Evan R. Smith

*Admitted only in Maryland
*Admitted only in Virginia
•Practice Limited to
Federal Agencies

June 12, 2003

WRITER'S DIRECT NUMBER:
(202) 772-8673

INTERNET ADDRESS:
ICOVERT@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop Issue Fee

Re: U.S. Allowed Utility Patent Application
Appl. No. 09/814,123; Filed: March 22, 2001
For: **Aryl Substituted Pyrazoles, Triazoles and Tetrazoles, and the Use
Thereof**
Inventors: HOGENKAMP *et al.*
Our Ref: 1861.1270001/JMC/THN

Sir:

In response to the **Notice of Allowance and Fee(s) Due** dated **March 13, 2003**, the following documents are forwarded for appropriate action by the U.S. Patent and Trademark Office:

1. Issue Fee Transmittal (Form PTOL-85B);
2. Fee Transmittal Form (PTO/SB/17);
3. Request for Reconsideration of Patent Term Adjustment Under 37 C.F.R. § 1.705, with Exhibits A and B;
4. Originally executed Power of Attorney from Assignee;
5. Originally executed Certificate Under 37 C.F.R. § 3.73(b);
6. One (1) return postcard; and

Commissioner for Patents
June 12, 2003
Page 2

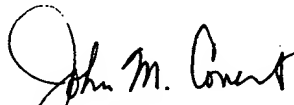
7. PTO-2038 Credit Card Payment Form for \$1,830.00 to cover the following fees:
- | | |
|------------|---|
| \$1,300.00 | Utility issue fee (37 C.F.R. § 1.18(a)); |
| \$300.00 | Publication fee for normal publication (37 C.F.R. § 1.18(d)); |
| \$200.00 | Filing an application for patent term adjustment (37 C.F.R. § 1.18(e)); |
| | and |
| \$30.00 | Advance copies of patent (37 C.F.R. § 1.19(a)(1)). |

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John M. Covert
Attorney for Applicants
Registration No. 38,759

Enclosures

SKGF_DC1:141385.1

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Box ISSUE FEE
Commissioner for Patents
Washington, D.C. 20231
Fax (703)746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

26111 7590 03/13/2003

STERNE, KESSLER, GOLDSTEIN & FOX PLLC
 1100 NEW YORK AVENUE, N.W., SUITE 600
 WASHINGTON, DC 20005-3934

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Box Issue Fee address above, or being facsimile transmitted to the USPTO, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,123	03/22/2001	Derk J. Hogenkamp	1861.1270001/JMC/THN	2060

TITLE OF INVENTION: ARYL SUBSTITUTED PYRAZOLES, TRIAZOLES, AND TETRAZOLES, AND THE USE THEREOF

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1300	\$300	\$1600	06/13/2003

EXAMINER	ART UNIT	CLASS-SUBCLASS
SHAMEEM, GOLAM M	1626	514-407000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Sterne, Kessler,
 2 Goldstein & Fox
 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

EURO-CELTIQUE S.A.

Luxembourg, Luxembourg

Please check the appropriate assignee category or categories (will not be printed on the patent) ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

- ☒ Issue Fee
- ☒ Publication Fee
- ☒ Advance Order - # of Copies 10

4b. Payment of Fee(s):

- ☐ A check in the amount of the fee(s) is enclosed.
- ☒ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) _____ (Date)

John M. Covert, Reg. No. 38,759

6/12/03

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMIT THIS FORM WITH FEE(S)

FEE TRANSMITTAL
for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 1,830.00**Complete if Known**

Application Number	09/814,123
Filing Date	March 22, 2001
First Named Inventor	Derk J. HOGENKAMP
Examiner Name	Shameem, G.
Art Unit	1626
Attorney Docket No.	1861.1270001/JMC/THN

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☒ Other** ☐ None
 ** Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

☐ Deposit Account
 Deposit Account Number 19-0036

Deposit Account Name: Sterne, Kessler, Goldstein & Fox P.L.L.C.

The Commissioner is authorized to: (check all that apply)

- ☐ Charge fee(s) indicated below ☐ Credit any over payments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1105	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra	Fee from below	Fee Paid
Total Claims _____ - 20** = _____ X _____ = _____		
Indep. Claims _____ - 3** = _____ X _____ = _____		
Multiple Dependent _____ = _____		

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)					0.00

**or number previously paid, if greater; For Reissue, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1502	50	2052	25	Surcharge-late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	1300.00
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) Publication fee for normal publication (37 C.F.R. § 1.18(d))					300.00
Filing an application for patent term adjustment (37 C.F.R. § 1.18(e))					200.00
Advance copies of patent (37 C.F.R. § 1.19(a)(1))					30.00
* Reduced by Basic Filing Fee Paid					
SUBTOTAL (3) (\$)					1830.00

SUBMITTED BY

Name (Print/Type)

John M. Gwert

Registration No.
(Attorney/Agent)

38,759

Complete (if applicable)

Telephone 202-371-2600

Signature

Date 6/12/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, O.P. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

SKGF_DC1:141394.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HOGENKAMP *et al.*

Appl. No. 09/814,123

Filed: March 22, 2001

For: **Aryl Substituted Pyrazoles,
Triazoles and Tetrazoles, and the Use
Thereof**

Confirmation No. 2060

Art Unit: 1626

Examiner: Shameem, G.

Atty. Docket: 1861.1270001/JMC/THN

**Request for Reconsideration of Patent Term Adjustment
Under 37 C.F.R. § 1.705**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop Issue Fee

Sir:

Pursuant to 37 C.F.R. § 1.705(b), Applicants provide a concise statement of facts involved, as well as payment of fees set forth in 37 C.F.R. § 1.18(e).

Statement of the Facts:

Applicants hereby request that the Patent Term Adjustment for the captioned application to be corrected to allow an addition of 78 days.

The U.S. Patent and Trademark Office (PTO) mailed a Notice of Allowance and Fee(s) Due on March 13, 2003. This Notice contained a determination of Patent Term Adjustment under 35 U.S.C. § 154(b), which incorrectly indicated that the Patent Term Adjustment to the date of the Notice of Allowance and Fee(s) Due was zero (0) days.

On September 13, 2001, the PTO mailed a non-final rejection. Applicants timely filed, within three months from the date of the Office Action, an Amendment and Reply on December 13, 2001, *via* hand carry, along with an Information Disclosure Statement. A copy of a date-stamped return postcard evidencing that the Amendment and Reply, and the Information Disclosure Statement were filed on December 13, 2001, is attached as Exhibit A.

On April 18, 2002, the Examiner contacted the undersigned to request information on whether the application will be abandoned because no reply has been filed. The Examiner was notified by a voice mail on the same date that an Amendment and Reply had been filed *via* hand carry to him on December 13, 2001, and the Examiner was requested to inform if the Amendment can not be found and a copy of the Amendment should be submitted.

The Examiner was contacted on May 9, 2002, to confirm whether a copy of the Amendment should be submitted. The Examiner requested a copy of the whole filing of December 13, 2001, excluding copies the references cited in the Form PTO-1449. A copy of a Facsimile Cover Sheet along with a copy of confirmation evidencing that a copy of the filing of December 13, 2001, as described above, was submitted to the Examiner *via* facsimile on May 9, 2002, are attached as Exhibit B.

To date, the information recorded in the PTO's Patent Application Information Retrieval (PAIR) system incorrectly indicates that a response after a non-final action was filed on May 9, 2002, instead of December 13, 2001, and that a delay of 147 days has been caused by the Applicants. Further, the PAIR system incorrectly indicates that a total of two (2) Information Disclosure Statements were filed on December 18 and December 19, 2001. It appears that the Amendment and Reply was incorrectly recorded as an Information Disclosure Statement. In addition, both of the dates December 18 and December 19, 2001 are incorrect and should be December 13, 2001.

On July 1, 2002, a restriction requirement was issued for the above-captioned application.

In view of above, Applicants are entitled to a patent term adjustment of 78 days (from April 14, 2002 to July 1, 2002). 37 C.F.R. § 1.703(a)(2).

The patent issuing from the above captioned application will not be subject to a terminal disclaimer. 37 C.F.R. § 1.705(b)(2)(iii).

In addition, there were no circumstances during the prosecution of the application that constitute a failure to engage in reasonable efforts to conclude processing or examination of the application as set forth in 37 C.F.R. § 1.704(c). On February 14, 2002, Applicants timely submitted a Supplemental Amendment and Reply *expressly requested* by the Examiner on February 4, 2003. This submission does not reduce the period of adjustment set forth in 37 C.F.R. § 1.703. 37 C.F.R. § 1.704(c)(8).

Further, on May 27, 2003, Applicants timely submitted an Amendment Under 37 C.F.R. § 1.312 *expressly requested* by the Examiner *via* telephone conversation on May 22, 2003. Specifically, the Examiner told that the publication branch had requested that Fig. 1 on page 20 of the specification be deleted and, *in lieu* thereof, inserted at the end of the specification. Further, the Examiner requested that a new paragraph be added in the application, entitled "Brief Description of the Drawings". It should be noted that 37 C.F.R. § 1.704(c) provides exemplary circumstances suggesting when Applicant is not engaging in reasonable efforts to conclude processing or examination. The circumstances listed in 37 C.F.R. § 1.704(c) are not exhaustive or limiting. Submission of an amendment under 37 C.F.R. § 1.312 suggests that an applicant is not engaging in reasonable efforts to conclude processing or examination because the Examiner has allowed the application and the applicant presumptively is attempting to continue prosecution via the amendment. Argumentatively, such "actions or inactions prevent or interfere with the Office's ability to process or examine an application." See Response to Comment No. 17, 65 Fed. Reg. 56,379 (September 18, 2000).

However, the facts of the instant matter are different. As explained above, the Examiner expressly requested the aforesaid Amendment. Applicants timely responded to the Examiner's request by amending the specification and drawings so that the patent application could be published and a patent could issue on time. Any contrary "action or inaction" on part of Applicants would have "prevented or interfered with the Office's ability to process or examine the application", and more importantly, delayed the future issuance of the patent. Therefore, Applicants respectfully submit that the aforesaid Amendment has the practical effects of advancing patent prosecution and cannot reasonably be interpreted as a circumstance of failing to engage in reasonable efforts to conclude processing or examination. To interpret Applicants' conduct otherwise would directly contradict the scope and intent of enacting 37 C.F.R. § 704(c) and 35 U.S.C. § 154(b)(2)(C)(i). See Response to Comment No. 17, 65 Fed. Reg. 56,379 (September 18, 2000).

In accordance with 37 C.F.R. § 1.705(b)(1), the fee set forth in 37 C.F.R. § 1.18(e) is provided in our accompanying Credit Card Payment Form PTO-2038. It is not believed that additional fees are required beyond those that may otherwise be provided in documents accompanying this paper. However, if additional fees are

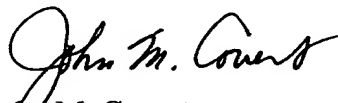
required, the U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

If it is believed, for any reason, that personal communication will expedite consideration of this Request, please do not hesitate to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Request is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



John M. Covert
Attorney for Applicants
Registration No. 38,759

Date: June 12, 2003

1100 New York Avenue, N.W.
Suite 800
Washington, D.C. 20005-3934
(202) 371-2600

Please Date Stamp And Return To Our Cosier

* * * COMMUNICATION RESULT REPORT (MAY. 9. 2002 4:01PM) * * *

TTI S. K. G. F.

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
7010 MEMORY TX		6848#18611270001#7037465116#	OK	43/43

REASON FOR ERROR
E-1) HANG UP OR LINE FAIL
E-3) NO ANSWER

E-2) BUSY
E-4) NO FACSIMILE CONNECTION

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 New York Avenue, N.W.

Suite 600

Washington, D.C. 20005-3934

Facsimile Cover Sheet

urgent ☐ return reply requested ☐ original will be sent as confirmation ☐

DATE: May 9, 2002

FAX NO.: 703 746 5116

PAGES: 43 (including this cover sheet)

TO: UNITED STATES PATENT AND TRADEMARK OFFICE

ATTN: Examiner G. Shameem, Group Art Unit 1626

FROM: John M. Covert *TM*

RE: U.S. Patent Application

Appl. No. 09/814,123; Filed: March 22, 2001

For: Aryl Substituted Pyrazoles, Triazoles and Tetrazoles, and the Use
ThereofInventors: Hogenkamp *et al.*

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

1100 New York Avenue, N.W.

Suite 600

Washington, D.C. 20005-3934

Facsimile Cover Sheet

urgent ☐ return reply requested ☐ original will be sent as confirmation ☐

DATE: May 9, 2002

FAX NO.: 703 746 5116

PAGES: 43 (including this cover sheet)

TO: UNITED STATES PATENT AND TRADEMARK OFFICE

ATTN: Examiner G. Shameem, Group Art Unit 1626

FROM: John M. Covert *TH*

RE: U.S. Patent Application

Appl. No. 09/814,123; Filed: March 22, 2001

For: Aryl Substituted Pyrazoles, Triazoles and Tetrazoles, and the Use
Thereof

Inventors: Hogenkamp *et al.*

OUR REF: 1861.1270001/JMC/THN

MESSAGE

Further to your telephone conversation of today with Tarja Naukkarinen of our office, enclosed are the following documents for your review:

- 1) Copy of date-stamped receipt card, originally filed December 13, 2001, via hand carry;
- 2) Copy of SKGF Cover Letter, originally filed December 13, 2001, via hand carry;
- 3) Copy of Fee Transmittal Form (PTO/SB/17), originally filed December 13, 2001, via hand carry;
- 4) Copy of Amendment and Reply Under 37 C.F.R. § 1.111, originally filed December 13, 2001, via hand carry;
- 5) Copy of Information Disclosure Statement, originally filed December 13, 2001, via hand carry; and
- 6) Copy of Form PTO-1449 (16 sheets), originally filed December 13, 2001, via hand carry.

Please do not hesitate to contact us if you have any questions regarding this matter.

This message is intended for the exclusive use of the individual or entity to which it is addressed. The message may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this communication in any way is strictly prohibited. If you have received this communication in error, please call us collect immediately, and return the original message to us at the above address via the U.S. Postal Service.

If any portion of this transmission is not received clearly or in full, contact us at any of the following numbers:

TELEPHONE NUMBER
(202) 371-2600

FACSIMILE NUMBER
(202) 371-2540

BEST AVAILABLE COPY

POWER OF ATTORNEY FROM ASSIGNEE

EURO-CELTIQUE S.A., a corporation of **Luxembourg**, having a principal place of business at 122 Boulevard de la Petrusse, L-2330, Luxembourg, is assignee of the entire right, title and interest for the United States of America (as defined in 35 U.S.C. § 100), by reason of an Assignment from **PURDUE PHARMA LTD.**, to the Assignee executed on **July 24, 2002**, of an invention known as **Aryl Substituted Pyrazoles, Triazoles, and Tetrazoles, and the Use Thereof** (Attorney Docket No. **1861.1270001/JMC/THN**), which is disclosed and claimed in a patent application of the same title by the inventors **Derk J. HOGENKAMP**, **Phong NGUYEN**, and **JI YANG**, (said application filed on **March 22, 2001** at the U.S. Patent and Trademark Office, having Application Number **09/814,123**).

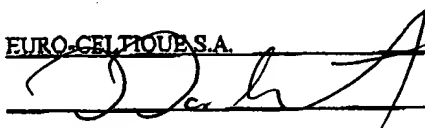
The Assignee hereby appoint the U.S. attorneys associated with **CUSTOMER NUMBER 28393** to prosecute this application and any continuation, divisional, continuation-in-part, or reissue application thereof, and to transact all business in the U.S. Patent and Trademark Office connected therewith, such attorneys currently being: **Robert Greene Sterne, Esq.**, Reg. No. 28,912; **Edward J. Kessler, Esq.**, Reg. No. 25,688; **Jorge A. Goldstein, Esq.**, Reg. No. 29,021; **David K.S. Cornwell, Esq.**, Reg. No. 31,944; **Robert W. Esmond, Esq.**, Reg. No. 32,893; **Tracy-Gene G. Durkin, Esq.**, Reg. No. 32,831; **Michele A. Cimbala, Esq.**, Reg. No. 33,851; **Michael B. Ray, Esq.**, Reg. No. 33,997; **Robert E. Sokohl, Esq.**, Reg. No. 36,013; **Eric K. Steffe, Esq.**, Reg. No. 36,688; **Michael Q. Lee, Esq.**, Reg. No. 35,239; **Steven R. Ludwig, Esq.**, Reg. No. 36,203; **John M. Covert, Esq.**, Reg. No. 38,759; **Linda E. Alcorn, Esq.**, Reg. No. 39,588; **Lawrence B. Bugalsky, Esq.**, Reg. No. 35,086; **Donald J. Featherstone, Esq.**, Reg. No. 33,876; **Robert C. Millonig, Esq.**, Reg. No. 34,395; **Michael V. Messinger, Esq.**, Reg. No. 37,575; **Judith U. Kim, Esq.**, Reg. No. 40,679; **Timothy J. Shea, Jr., Esq.**, Reg. No. 41,306; **Patrick E. Garrett, Esq.**, Reg. No. 39,987, all of **STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.**, 1100 New York Avenue, N.W., Suite 600, Washington, D.C. 20005-3934, and **Philip C. Strassburger, Esquire**, Registration No. 34,258, of **PURDUE PHARMA L.P.**, One Stamford Forum, Stamford, CT 06901-3431. The Assignee hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

Send correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
U.S.A.

Direct phone calls to 202-371-2600.

FOR: EURO-CELTIQUE S.A.

SIGNATURE: 

BY: Douglas Docherty

TITLE: Director

DATE: JUNE 10 2003

SKGP_DC1:1430581

BEST AVAILABLE COPY

Certificate Under 37 C.F.R. § 3.73(b)

Applicant/Patent Owner: Hogenkamp et al.

Application No./Patent No.: 09/814,123

Filed/Issue Date: March 22, 2001

Entitled: Aryl Substituted Pyrazoles, Triazoles and Tetrazoles, and the Use Thereof

EURO-CELTIQUE S.A.

a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A. ☐ An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventors of the patent application/patent identified above to the current assignee as shown below:

1. From: Derk J. Hogenkamp, Phong Nguyen, and Ji Yang To: CoCensys, Inc.

The document was recorded in the Patent and Trademark Office at
Reel: 011920, Frame: 0060, or for which a copy thereof is attached.

2. From: CoCensys, Inc. To: Purdue Pharma Ltd.

The document was recorded in the Patent and Trademark Office at
Reel 013142, Frame 0903, or for which a copy thereof is attached.

3. From: Purdue Pharma Ltd. To: Euro-Celtique S.A.

The document was recorded in the Patent and Trademark Office at
Reel 013147, Frame 0050, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Signature: _____

Name: Douglas Docherty

Title: Director

Date: _____

JUNE 10, 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB Control number.

United States Patent & Trademark Office
Credit Card Payment Form
Please Read Instructions before Completing this Form

Credit Card Information			
Credit Card Type:	<input type="checkbox"/> Visa	<input type="checkbox"/> MasterCard	<input checked="" type="checkbox"/> American Express <input type="checkbox"/> Discover
Credit Card Account # :	3787 327319 61001		
Credit Card Expiration Date:	06/2004		
Name as it Appears on Credit Card:	SKGF P.L.L.C.		
Payment Amount: \$(US Dollars):	1,830.00		
Signature: <i>John M. Gwert</i>	Date: 6/9/2003 6/12/2003		
Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be via credit to the credit card account.			
Service Charge: There is a 50.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)).			
Credit Card Billing Address			
Street Address 1:	Sterne, Kessler, Goldstein & Fox P.L.L.C.		
Street Address 2:	1100 New York Avenue, N.W.		
City:	Washington		
State:	DC	Zip/Postal Code:	20005-3934
Country:	United States		
Daytime Phone # :	(202) 371-2600	Fax # :	(202) 371-2540
Request and Payment Information			
Description of Request and Payment Information: Utility issue fee (37 C.F.R. § 1.18(a)) - \$1,300.00 Publication fee for normal publication (37 C.F.R. § 1.18(d)) - \$300.00 Filing an application for patent term adjustment (37 C.F.R. § 1.18(e)) - \$200.00 Advance copies of patent (37 C.F.R. § 1.19(a)(1)) - \$30.00			
<input checked="" type="checkbox"/> Patent Fee	<input type="checkbox"/> Patent Maintenance Fee	<input type="checkbox"/> Trademark Fee	<input type="checkbox"/> Other Fee
Application No. 09/814,123	Application No.	Serial No.	IDON Customer No.
Patent No.	Patent No.	Registration No.	
Attorney Docket No. 1861.1270001		Identify or Describe Mark	

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment form, the United States Patent & Trademark Office will not be liable in the event that the credit card number becomes public knowledge.
 SKGF_DC1:141412.1

Applicants: HOGENKAMP *et al.*

Application No.: 09/814,123

Filed: March 22, 2001

For: Aryl Substituted Pyrazoles, Triazoles and Tetrazoles, and the Use Thereof

Due Date: June 13, 2003

Art Unit: 1626

Examiner: Shameem, G.

Docket: 1861.1270001

Atty: JMC/THN

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

Applicants: HOGENKAMP *et al.*

Application No.: 09/814,123

Filed: March 22, 2001

For: Aryl Substituted Pyrazoles, Triazoles and Tetrazoles, and the Use Thereof

Due Date: June 13, 2003

Art Unit: 1626

Examiner: Shameem, G.

Docket: 1861.1270001

Atty: JMC/THN

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. SKGF Cover Letter;
2. Issue Fee Transmittal (Form PTOL-85B);
3. Fee Transmittal (Form PTO/SB/17);
4. Request for Reconsideration of Patent Term Adjustment Under 37 C.F.R. § 1.705, with Exhibits A and B;
5. Originally executed Power of Attorney from Assignee;
6. Originally executed Certificate Under 37 C.F.R. § 3.73(b);
7. One (1) return postcard; and
8. PTO-2038 Credit Card Payment Form for \$1,830.00 to cover the following fees:
 - \$1,300.00 Utility issue fee (37 C.F.R. § 1.18(a));
 - \$300.00 Publication fee for normal publication (37 C.F.R. § 1.18(d));
 - \$200.00 Filing an application for patent term adjustment (37 C.F.R. § 1.18(e));
 - \$30.00 Advance copies of patent (37 C.F.R. § 1.19(a)(1)).



Mail Stop: Issue Fee

Please Date Stamp And Return To Our Courier

SKGF_DC1:141397.1